



Response / #23
J 35-03

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q57226

Tohru TANAKA, et al.

Appln. No.: 09/445,963

Group Art Unit: 1642

Confirmation No.: 1604

Examiner: N. Davis

Filed: December 16, 1999

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For: AGENT FOR DIAGNOSING AND TREATING MALIGNANT TUMORS

TECH CENTER 1600/2900

RESPONSE UNDER 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the outstanding rejection of August 27, 2002, three times extended to February 27, 2003 by an appropriate three month Petition and fee submitted herewith, please consider the Applicants' RESPONSE to that rejection.

REMARKS

The pending claims: claims 10 and 11 are pending.

The prior art: Kennedy et al (1994, ACS Symp. Ser., pp. 291-302), Jichlinski et al (1996, Pro. SPIE-Int. Soc. Opt. Eng. pp 340-347); Kajiwara (1990, JP 02111747); Jaffe et al (1990, Biochemistry, pp. 8345-50). These references will be referred to as Kennedy, Jichlinski, Kajiwara and Jaffe, respectively.

The rejection: claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kennedy in view of Jichlinski, Kajiwara and Jaffe.